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GAMBLING COMMISSION
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STATE OF WASHINGTON
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GAMBLING COMMISSION
COMM & LEGAL DEPT

In the Matter of the Suspension of the)
License to Conduct Gambling Activities of:)

No. CR 2009-01553

Gloria Chacon,)
Yakima, Washington,)

SETTLEMENT ORDER

Licensee.)
_____)

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HEADQUARTERS OFFICE OF
ADMINISTRATIVE HEARINGS

I.

This Settlement Order is entered into between the Washington State Gambling Commission and Gloria Chacon. The Gambling Commission is represented by H. Bruce Marvin, Assistant Attorney General, and Brenda Bono, Staff Attorney. The licensee is representing herself.

II.

The Washington State Gambling Commission issued Gloria Chacon the following license:

- Number 68-24253, Authorizing Class "B" Card Room Activity.

The license expires on September 17, 2010, and was issued subject to the licensee's compliance with state gambling laws and regulations.

III.

The Director issued a Notice of Administrative Charges and Opportunity for an Adjudicative Proceeding to the licensee on October 23, 2009. On October 30, 2009, Commission staff received the licensee's request for a hearing.

IV.

The following is a summary of the facts alleged, and the violations charged in the Notice of Administrative Charges:

The licensee failed to pay court ordered fines and fees and currently owes \$4,959, all of which has been sent to collections for nonpayment.

Through her actions, the licensee has demonstrated willful disregard for complying with court orders, and she poses a threat to the effective regulation of gaming. In addition, the licensee has failed to establish by clear and convincing evidence the necessary qualifications for certification under RCW 9.46.153(1).

RCW 9.46.075 Denying, suspending, or revoking an application, license or permit states:

The commission may deny an application, or suspend or revoke any license or permit issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or licensee, or any person with any interest therein: (The following subsections apply.)

(1) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the Commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any Commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control.

(8) Fails to prove, by clear and convincing evidence, that he is qualified in accordance with the provisions of this chapter.

WAC 230-03-085 Denying, suspending, or revoking an application, license or permit states:

We may deny, suspend, or revoke any application, license or permit, when the applicant, licensee, or anyone holding a substantial interest in the applicant's or licensee's business or organization: (The following subsections apply.)

(1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.

(3) Has demonstrated willful disregard for complying with ordinances, statutes, administrative rules, or court orders, whether at the local, state, or federal level.

(8) Poses a threat to the effective regulation of gambling, or creates or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of gambling activities, as demonstrated by: (a) Prior activities; or (b) Criminal record; or (c) Reputation; or (d) Habits; or (e) Associations.

RCW 9.46.153 Applicants and licensees - Responsibilities and duties states:

(The following subsection applies.)

(1) It shall be the affirmative responsibility of each applicant and licensee to establish by clear and convincing evidence the necessary qualifications for licensure of each person required to be qualified under this chapter, as well as the qualifications of the facility in which the licensed activity will be conducted.

V.

The licensee submitted to Commission staff a filing of a Chapter 13 with the United States Bankruptcy Court. Included in the licensee's debt is the principal of \$2,500 in a claim from the Yakima Municipal Court, which includes the debt listed in the Charges. The Bankruptcy is incorporated by reference to this Settlement Order. The licensee must make payment in full to the Yakima Court according to her Bankruptcy filing.

The licensee acknowledges that she has read the Notice of Administrative Charges, and understands the facts contained in it. The licensee has waived her right to a hearing, based on the terms and conditions of this Settlement Order.

The licensee agrees to the following:

1) Failure by the licensee to make a payment to the Yakima Municipal Court according to the licensee's Bankruptcy filing will be a new violation. As a result, the Director will issue charges for the revocation of Gloria Chacon's license. The licensee will be afforded the opportunity to have an Adjudicative Proceeding, which includes a hearing on the alleged violations.

2) The licensee agrees that Gloria Chacon's license is hereby **suspended for a period of seven (7) days**, provided that:

a) The parties agree that the Director of the Washington State Gambling Commission, pursuant to this Settlement Order, has discretion to determine whether the licensee has violated any term of this Settlement Order. In the event the Director determines that a violation has occurred, he may suspend the license issued to the licensee, and any subsequently acquired licenses, for up to thirteen days, by mailing or delivering a Notice of Order of Administrative Charges to the licensee. This suspension shall be in addition to any consequences of the new violation. The licensee shall be afforded the opportunity to have an Adjudicative Proceeding, which includes a hearing on the alleged violations.

b) The licensee shall **serve the seven (7) days** of this suspension. **The suspension period will begin at 8:00 a.m. on Monday, January 4, 2010, and end at 8:00 a.m. on Monday, January 11, 2010.** During this period of suspension, the licensee shall take part in no gambling activities. The licensee may resume her gambling activities at 8:00 a.m. on January 11, 2010.

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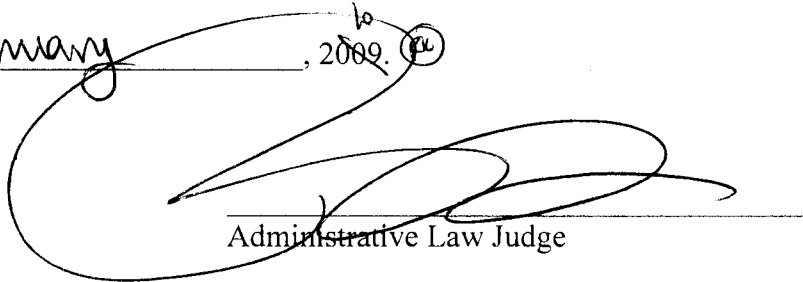
3) **The signed order must be received by Commission staff on or before Thursday, December 24, 2009.** The order must be mailed to Commission Headquarters at the following address:

Washington State Gambling Commission
Attention: Communications and Legal Division
P.O. Box 42400
Olympia, WA 98504-2400

or delivered (in person or via private courier) to the following address:

Washington State Gambling Commission
Attention: Communications and Legal Division
4565 7th Avenue SE; Fourth Floor
Lacey, WA 98503

DATED this 12th day of January, 2009. lu

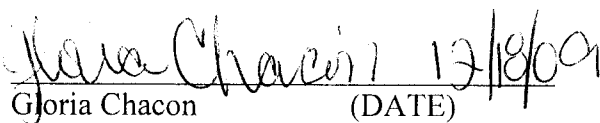


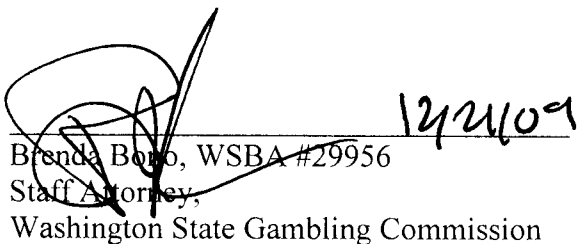
Administrative Law Judge

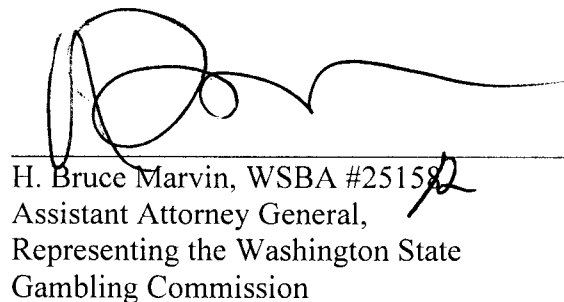
APPROVED FOR ENTRY:

APPROVED AS TO FORM:

By the signature below, the licensee
read this Settlement Order,
and understands the terms and conditions
contained in it.


Gloria Chacon (DATE) 12/18/09


Brenda Bono, WSBA #29956
Staff Attorney,
Washington State Gambling Commission


H. Bruce Marvin, WSBA #25158
Assistant Attorney General,
Representing the Washington State
Gambling Commission